

ACCESSING OPPORTUNITY

The Plan *for* **Employment of** **People With** **Disabilities in the** **Federal Government**



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Employment
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A MESSAGE FROM U.S. OFFICE OF PERSONNEL MANAGEMENT DIRECTOR JANICE R. LACHANCE

I am pleased to present to you, *Accessing Opportunity: The Plan for Employment of Persons with Disabilities in the Federal Government*. The Plan serves as a framework for Federal departments and agencies to use as they create strategies and initiatives to recruit, hire, develop, and retain more persons with disabilities.

The Plan demonstrates the commitment of President Clinton, Vice President Gore and this entire Administration to improving employment opportunities for all. For far too long, talented Americans with disabilities have been overlooked by potential employers. We must address this problem now.

Our nation must have a workforce with the skills and competencies needed to succeed in the 21st century, so we cannot afford to let any sector of our society be excluded from contributing to our future success. Not only will the Federal government benefit from broadening the pool of applicants for its positions, but also we can serve as a role model for private industry. This Administration remains committed to using the visibility of the Federal workforce to show the country the benefits of recruiting and developing a workforce that reflects the diversity of our nation.

I guarantee that the Federal Government, as our nation's largest employer, will lead the way and set the standard for the employment of persons with disabilities. This Plan is a critical first step in making this commitment a reality.

Janice R. Lachance

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- INTRODUCTION -

As the 21st century approaches, scientific and technological advances are giving rise to new industries and occupations unheard of only a decade ago. As these advances occur, new employment opportunities are becoming plentiful. However, the majority of working-age individuals with severe disabilities have not shared in this employment prosperity.

The Federal government has a statutory obligation to engage in affirmative action with respect to the hiring, placement and advancement of individuals with disabilities. In undertaking this statutory obligation, departments and agencies must consult Management Directives issued by the Equal Employment Opportunity Commission (EEOC). Copies of the Management Directives can be obtained by calling (202) 663-4599. The Federal government is committed to taking the lead in charting a public policy that provides clear direction to both the public and private sectors.

To this end, the President signed Executive Order 13078 on March 13, 1998, establishing the Presidential Task Force on Employment of Adults with Disabilities. The Task Force's mission is to create a coordinated and aggressive national policy to bring adults with disabilities into gainful employment at a rate as close as possible to that of the general adult population. On November 15, 1998, the Task Force issued its first report, "Recharting the Course." On December 14, 1998, Vice President Gore accepted the report on behalf of the Administration, and directed the U.S. Office of Personnel Management (OPM) to develop a plan to increase the representation of adults with disabilities in the Federal workforce. This Plan will help ensure that departments and agencies:

- Recruit widely for positions at all levels;
- Provide opportunities for students with disabilities;
- Give full consideration to employees with disabilities for inclusion in developmental opportunities;
- Collect and maintain data to monitor success; and
- Provide reasonable accommodations for qualified applicants and employees with disabilities, consistent with guidance from the Equal Employment Opportunity Commission.

OPM provides this Plan for government-wide use as part of its ongoing support of and commitment to the President's and Vice-President's goal of making the Federal government a model employer of people with disabilities. Experience has shown that government-wide programs and initiatives require the dedicated and sustained commitment of department and agency leadership. This Plan will assist Federal employers in fulfilling their commitment to become model employers of people with disabilities.

THE PLAN FOR EMPLOYMENT OF PEOPLE WITH DISABILITIES IN THE FEDERAL GOVERNMENT

- RECRUITMENT AND PLACEMENT -

Recruit widely for positions at all levels of the Federal workforce, including GS-13 to 15 and senior executive service levels.

Recruitment Strategies

- In developing targeted recruitment strategies for people with disabilities, Federal employers will recruit widely and develop collaborative efforts with community outreach groups. By working together, the use of resources would be maximized while attracting highly-qualified persons with disabilities at all levels.

OPM will develop a collection of “best practices” in the public and private sectors of successful recruitment efforts of people with disabilities. Information will be shared with Federal departments and agencies, other public entities, and interested parties.

OPM will also share information through OPM Service Center “messengers.” These messengers will serve as liaisons between the Plan and the community and Federal departments and agencies. They will also work closely with Federal Executive Boards, Federal Executive Associations, and Personnel (or Human Resources) Councils to disseminate information about planned efforts and best practices.

- Federal employers will review internal human resource policies to ensure that every flexibility is considered in areas such as alternative work schedules and job sharing. They will also disseminate employment and other information in alternate formats such as large print, audio cassette, Braille, computer disk, or accessible Internet sites.
- Federal employers should review their programs to determine if part-time employment opportunities could be created to accommodate employees with disabilities.
- Departments and agencies should explore ways to recruit from all sources when filling positions, including those in the Senior Executive Service and managerial and supervisory positions at grades GS-13 to 15, in order to attract candidates with disabilities from inside and outside the Federal government.

- Departments and agencies should use a variety of resources and networks available to them to remove barriers to employment and assist them in actively recruiting people with disabilities. These resources include but are not limited to the following:
 - The Job Accommodation Network (JAN) will help Federal employers receive expert accommodation information easily before, during, and after the recruitment process. JAN is a confidential service which allows any manager or employee to receive individualized information on his or her accommodation issue. It is run by the President's Committee on Employment of People with Disabilities (PCEPD), and may be reached at (800) 526-7234.
 - The Workforce Recruitment Program for College Students with Disabilities (WRP) is one source Federal employers may tap for potential employees. The WRP is managed by the President's Committee on Employment of People with Disabilities (PCEPD) and the Department of Defense. It is a resource used to connect public or private sector employers nationwide with highly-motivated post-secondary students and recent graduates with disabilities. The WRP has two long-term goals: (1) to provide college students with disabilities the opportunity to obtain summer employment which may lead to permanent employment in the Federal or private sector; and (2) to break down attitudinal barriers held by employers and co-workers by demonstrating that people with disabilities can work successfully in a variety of jobs. Employers may access the candidate database by contacting their agency's WRP representative.
 - Project ABLE (Able Beneficiaries' Link to Employers) is a national resume bank which provides any employer an easily-accessible applicant pool of qualified job-ready individuals. These individuals receive Social Security or Supplemental Security Income disability benefits and are prepared to work. Employers may request resumes--
 - By telephone: (757) 441-3362;
 - By fax: (757) 441-3374; or
 - By Email: projable@opm.gov.

Federal employers may also access Project ABLE by dialing OPM's Automated Applicant Referral System at (912) 757-3150. A valid agency identification code is needed to access the system; it may be obtained by calling (912) 744-2085. For more information on Project ABLE, please contact the Social Security Administration at (410) 965-9040, TTY (410) 966-6210, or through Internet at: www.ssa.gov/odhome/odderp/P_Able.htm.

- State Vocational Rehabilitation Agencies (SVRAs) and the U.S. Department of Veterans Affairs (VA) are also potential recruitment sources. They provide counseling, evaluation, training and other services to individuals with disabilities, including disabled veterans.

For more information and to locate the nearest SVRA, please access the agency's website at: www.nchrtm.okstate.edu/nchrtm_links/state_VR.html.

For more information and to locate the nearest VA facility, please access the department's website at: <http://www.va.gov/stations97/guide/home.asp?DIVISION=ALL>. Also, telephone numbers may be found in the government blue pages section of the local telephone directory.

- Department or agency-wide memoranda to increase the number of people with disabilities in the Federal workforce will be distributed within their respective agencies. Employees will also appreciate knowing what efforts are currently underway to increase the number of people with disabilities in their own departments or agencies. To support department and agency efforts, **OPM** is available to provide government-wide or agency-specific data.
- **OPM** will help educate Federal employers on various recruiting and hiring options available to employ people with disabilities. The first step is issuing *People with Disabilities in the Federal Government: An Employment Guide* as a companion piece to this plan. Copies of the guide may be obtained from OPM's website, www.opm.gov. Persons with disabilities may request copies in alternate formats by calling (202) 606-1059 (voice) or (202) 606-0023 (TTY).
- Federal employers will educate and train managers and supervisors on various hiring programs and resources available to them in recruiting, promoting, and retaining employees with disabilities. An initial survey regarding familiarity with these programs may help identify specific training needs.

Vacancy Announcements

- Federal employers will include language in vacancy announcements that states that reasonable accommodations will be made for qualified applicants or employees with disabilities, except when doing so would pose an undue hardship on the employing agency.¹ **OPM** will assist departments and agencies with developing appropriate language.

Special Appointing Authorities

¹An undue hardship is defined as an action requiring significant difficulty or expense when considered in light of factors such as the agency's size, financial resources, and the nature and structure of the operation. See EEOC's Enforcement Guidance on Reasonable Accommodation, dated March 1, 1999. The Job Accommodation Network (JAN) operated by the President's Committee on Employment of People with Disabilities (PCEPD) is an excellent technical assistance resource in the area of reasonable accommodation.

- **OPM** will continue to work with departments and agencies on the use of the special appointing authorities available to them when employing people with disabilities. These special appointing authorities include:

Schedule A, 5 CFR 213.3102(l) for hiring readers, interpreters, and personal assistants. This excepted authority is used to appoint readers, interpreters, and personal assistants for employees with severe disabilities. After one year of satisfactory service, they may qualify for conversion to permanent status.

Schedule A, 5 CFR 213.3102(t) for hiring people with mental retardation. This excepted authority is used to appoint persons with cognitive disabilities (mental retardation). They may qualify for conversion to permanent status after two years of satisfactory service.

Schedule A, 5 CFR 213.3102(u) for hiring people with severe physical disabilities. This excepted authority is used to appoint persons with severe physical disabilities who have demonstrated satisfactory performance through a temporary appointment, or have been certified as likely to succeed in performing the duties of the job. After two years of satisfactory service, they may qualify for conversion to permanent status.

Schedule B, 5 CFR 213.3202(k) for hiring people who have recovered from mental illness. This excepted authority is used to appoint persons who are certified that they are at a severe disadvantage in obtaining employment because of disrupted employment due to hospitalization or outpatient treatment for psychiatric disabilities. Certification also ensures that they are capable of functioning in the positions for which they will be appointed, and that any residual disabilities are not job-related.

Note: OPM will issue regulations implementing Executive Order, No. 13124, dated June 4, 1999, providing persons with psychiatric disabilities the same employment opportunities as persons with mental retardation or severe physical disabilities. Until the regulations are final, agencies may continue to use 5 CFR 213.3202(k) and any other appropriate excepted service appointing authorities to appoint persons with psychiatric disabilities.

5 CFR 315.604 for hiring disabled veterans enrolled in a VA training program. This authority is used to hire veterans with disabilities who are eligible for training under the Department of Veterans Affairs (VA) vocational rehabilitation program (38 U.S.C. chapter 31). The veterans may enroll for training or work experience at an agency under the terms of an agreement between the agency and VA. While enrolled in the VA program the veterans are not Federal employees for most purposes, but are beneficiaries of the VA. Upon successful completion, the host agency and VA give the veterans Certificates of Training showing the occupational series and grade levels of the positions for which trained. The Certificates of Training allows any agency to appoint the veterans noncompetitively under a status quo appointment which may be converted to permanent status at any time. (The Rehabilitation Act of 1973, as amended, provides that Federal departments and agencies should initiate efforts with

State vocational rehabilitation agencies to develop and enter into work experience agreements similar to those available for disabled veterans under 5 CFR 315.604.)

5 CFR 316.201(b) for hiring worker-trainees for programs such as the Welfare to Work program. In his memorandum, dated March 8, 1997, the President directed Federal agencies to expand the use of the worker-trainee authority, under TAPER (temporary appointment pending establishment of a register) and other excepted service hiring authorities to appoint welfare recipients to entry-level positions. Accordingly, Federal agencies may utilize the worker-trainee authority as a vehicle to further its Welfare to Work programs.

5 CFR 316.302(b)(5) and 5 CFR 316.402(b)(5) for hiring 30 percent or more disabled veterans. These authorities are used to hire veterans who are 30 percent or more disabled under temporary appointments of more than 60 days, or term appointments. The veterans must have retired from active military service with a 30 percent or more disability rating, or be rated by the Department of Veterans Affairs within the preceding year as having a compensable service-connected disability of 30 percent or more. The department or agency may convert these individuals to permanent status at any time during the appointment.

- EMPLOYMENT OPPORTUNITIES FOR STUDENTS -

Provide opportunities for students with disabilities to participate in internship and student employment programs.

- In addition to the other appointing authorities listed on pages 5-6 of this Plan, Federal employers are encouraged to develop agency-specific programs to employ students with disabilities (such as programs developed by the Department of Labor and the General Services Administration).
- An outstanding program that is currently in place in the Federal government is the Student Educational Employment Program. The program has two components: Student Temporary Employment and Student Career Experience (5 CFR 213.3202(a) and (b)). Both programs offer valuable, paid work experience to all students--high school, vocational and technical, associate degree, undergraduate, and graduate. Students may be employed year-round and receive a flexible schedule of work assignments. Federal employers should tailor the Student Educational Employment Program to attract students with disabilities to Federal employment.

OPM will continue promoting the Student Educational Employment Program to students, colleges and universities, and Federal managers and supervisors to attract students with disabilities to the Federal workforce.

OPM will serve as a clearinghouse for all students interested in Student Educational Employment Program opportunities.

OPM will work with appropriate organizations to identify information on accredited schools and programs with a high concentration of students with disabilities, and provide the information to departments and agencies.

OPM will establish master cooperative education agreements with schools in order for Federal employers to tailor them for specific uses.

- Another source of potential employees with disabilities is the Presidential Management Intern (PMI) Program. The PMI Program is a two-year, entry-level career development and training program designed to attract to Federal service masters and doctoral students in a variety of academic disciplines. Students are nominated by their schools, and are invited to participate in an OPM-developed structured assessment process. Finalists are not guaranteed placement; they take an active role in finding a position in the Federal government. Upon successful completion of the two-year internship, PMI's are eligible for permanent status. In its information letters to colleges and universities concerning the PMI Program, **OPM** will reinforce its

commitment to diversity, including the recruitment of persons with disabilities.

OPM will also continue outreach efforts through campus visits and targeting of professional organizations and publications serving the interests of people with disabilities.

- Colleges and universities will be encouraged to identify students with disabilities who meet the criteria of the programs listed above.
- Federal employers are encouraged to use the Workforce Recruitment Program for College Students with Disabilities (WRP) described previously (see Recruitment and Placement) as an excellent source for potential employees. Employers can access the candidate database by contacting their agency's WRP representative.

- CAREER DEVELOPMENT -

Give full consideration to employees with disabilities for inclusion in developmental opportunities designed to enhance their leadership skills and to advance their careers.

- Federal employers will ensure that persons with disabilities are made aware of, and have an equal opportunity to compete for, managerial and executive training or other career development opportunities. Self-nominations should be invited and encouraged, as well as nominations made by managers and supervisors.
- Departments and agencies will review career development and related programs to make sure that no barriers exist for people with disabilities. If targeted recruitment is used to broaden the pool of candidates for these programs, include as part of that effort employees with disabilities and organizations that represent their interests.
- Federal employers should establish formal mentoring programs, especially for participants of career development programs. Mentors serve as role models and act as personal advisors and confidants. They help build self-confidence; expand individual awareness, insight, and perspective about the organization; talk about performance expectations; and discuss developmental needs and how to obtain them.
- Departments and agencies will develop training and other courses related to disability employment issues. These courses are helpful to all levels of agency management--from first-line supervisors to the Senior Executive Service. Issues that may be covered include disability culture awareness, eliminating attitudinal barriers, communication between disability and non-disability communities, and transforming organizations to accommodate cultural differences.
- **OPM**, through the Federal Executive Institute and Management Development Centers, will conduct diversity training initiatives for senior management. This will improve understanding of the issues related to the employment of people with disabilities.

- MONITORING AND EVALUATING PROGRESS -

Collects and maintains data to monitor the success in achieving a higher percentage of adults with disabilities in the federal workforce.

- **OPM** will widely disseminate information on the Federal employment of people with disabilities, such as its *People with Disabilities in the Federal Government--A Statistical Profile* report, to all departments and agencies.
- Departments and agencies are expected to regularly monitor their own workforce data, especially elements concerning workforce composition, as set out in EEOC Management Directives. Periodic surveying of the workforce, and evaluating the resulting data, will determine progress and successes. In turn, the data may be used to develop internal recruiting strategies and workforce planning initiatives.
- In their performance management programs, Federal employers should review efforts and successes of their managers in diversity hiring. During performance reviews, efforts by the manager or supervisor to achieve diversity in his or her organization are evaluated--including efforts to hire people with disabilities. Open discussions of how to eliminate employment barriers are encouraged.
- Federal employers are encouraged to recognize managers and supervisors whose recruiting, hiring, and promoting efforts of those with disabilities are commendable.
- **OPM**, in its oversight role, and the EEOC, as the agency responsible for enforcing the Federal government's affirmative action and non-discrimination programs related to disability, will monitor Federal employer efforts in recruiting and employing people with disabilities.

- REASONABLE ACCOMMODATION -

Provide reasonable accommodations for qualified applicants and employees with disabilities, consistent with guidance from the Equal Employment Opportunity Commission.

- A reasonable accommodation is an adjustment or alteration that enables a qualified person with a disability to apply for a job, perform job duties, or enjoy equal benefits and privileges of employment. Federal departments and agencies will make reasonable accommodations for qualified persons with disabilities unless doing so would impose an undue hardship on the agency.
- The concept of reasonable accommodation applies to all aspects of employment, including recruitment, training, promotion, reassignment, and developmental assignments. Departments and agencies are expected to ensure that their personnel are familiar with Federal and agency-specific policies and procedures related to the availability of reasonable accommodations for persons with disabilities. Departments and agencies should also consult the new enforcement guidance on reasonable accommodation issued by the Equal Employment Opportunity Commission (EEOC) on March 1, 1999. Copies can be obtained by calling (800) 669-3362. They can also be reviewed at EEOC's website, www.eeoc.gov.
- Reasonable accommodations vary with the needs of the individuals involved, the type of position in question, and the ingenuity of the agency. Accommodations are determined on a case-by-case basis, taking into consideration the applicant or employee, the specific disability and existing limitations, the essential functions of the particular job, the work environment, and the effectiveness of the proposed accommodation. The cost of a job or work environment accommodation can often be minimal. The applicant or employee should always be consulted before an accommodation is made. Please consult the appropriate section in OPM's *People with Disabilities in the Federal Government: An Employment Guide*, for additional information on types of reasonable accommodation.
- Departments and agencies should widely disseminate their reasonable accommodation policies and should integrate the topic of reasonable accommodation into existing training for management and supervisory employees, as well as for those connected with agency hiring processes.